

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 09-10243-MLW
)
RYAN HARRIS)

MOTION TO CONTINUE FINAL STATUS CONFERENCE

Defendant, Ryan Harris, respectfully requests that the final status conference in this matter, currently scheduled for May 20, 2011, be continued to June 13, 2011.¹ Mr. Harris recognizes that this Court has stated that no further continuances are to be given, but because the government returned a superseding indictment yesterday and because, starting today, counsel is unexpectedly going to be out of the office for three weeks on a case-related matter, a continuance is necessary. The government assents to this motion.

The government issued a superseding indictment yesterday, May 18, 2011. This indictment includes specific conduct by three alleged users of products made by Mr. Harris's company. This conduct was not previously alleged, and these individual users, now listed as unindicted co-conspirators, were not previously identified or personally implicated in the case. The government has indicated that it plans to provide discovery related to these

¹ If this Court grants this motion, the status conference can be set for any time other than 3 p.m. on June 13, 2011.

individuals shortly. Counsel needs additional time to consider how this new indictment affects his motion to change venue, to review the discovery related to the new co-conspirators once it is provided, and to properly prepare Mr. Harris's defense in light of the altered charges.

In addition, counsel's absence makes it impossible for counsel to appear at the scheduled final status conference tomorrow and makes it difficult for him to properly review the superseding indictment without additional time.

Because of the recent superseding indictment and counsel's unexpected absence, Mr. Harris respectfully asks this Court to continue the final status conference to June 13, 2011.

RYAN HARRIS
By his attorney,

/s/ Charles P. McGinty

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on May 19, 2011.

/s/ Charles P. McGinty

Charles P. McGinty